

Notice of Allowability

Application No.

10/674,024

Applicant(s)

DEGOWSKE, ROBERT J.

Examiner

Ha D. Ho

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/19/05.
2. ☒ The allowed claim(s) is/are 1-14 and 22-27.
3. ☒ The drawings filed on 29 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/23/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. This Office Action is responsive to Applicant's Amendment filed on 01/19/05. Claims 15-21 have been canceled, and new claims 22-27 have been added accordingly.
2. Claims 1-14 and 22-27 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or render obvious a motivation to provide for a differential system as defined by the limitations of claims 1, 10 and 22, including a gearset being supported in a housing and including a pair of side gears, and an electromagnetic actuator having a movable coil or an electrically operable coupling including a movable electromagnet, wherein one of the side gears is selectively interconnected with the housing in response to the movement of the moveable coil or the moveable electromagnet.

The references to Kaplan et al (US 6733411), Teraoka (US 6796412), Ishikawa (US 6832972), and Kawamoto et al (JP 2221743) show a differential gear system having an electromagnetic coupling for locking the differential gear when the speed differentiation occurs. None of these references shows a coil/electromagnet of the electromagnetic coupling being movable for coupling the differential side gear to the differential housing.

The reference to Kuivamaki (US 5853165) shows a chain hoist with a clutch adjustable by means of an electromagnetic brake 77 including an electromagnet 78, which is axially displaceable in the brake housing 22. There is no suggestion/motivation to combine this reference to the references above.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Cited Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kaplan et al (US 6733411), Teraoka (US 6796412), Ishikawa (US 6832972), and Kawamoto et al (JP 2221743) show a differential gear system having an electromagnetic coupling. Kuivamaki (US 5853165) shows a chain hoist with a clutch adjustable by means of an electromagnetic brake. Ahles (US 4150385) shows a point recorder having an electromagnet that has a moveable coil.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha D. Ho whose telephone number is 571-272-7091. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HDH
(571) 272-7091
June 23, 2005

Ha D. Ho
HAHO
PRIMARY EXAMINER
Art Unit 3681 *6/23/05*